

# **ARTICLE 14**

## **ADEQUATE PUBLIC FACILITIES (APF) STANDARDS.**

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## 14.1. GENERAL STANDARDS.

### 14.1.1. PURPOSE AND INTENT.

The purpose and intent of this Section is:

- To ensure that Public Facilities needed to support new development meet or exceed the Level of Service standards established herein.
- To ensure that no applications for development approval are approved which would cause a reduction in the levels of service for any Public Facilities below the Adopted Level of Service established in this Section;
- To ensure that adequate Public Facilities needed to support new development are available concurrent with the impacts of such development;
- To encourage development in areas where public services are available and underutilized.
- To establish uniform procedures for the review of development applications subject to the standards and requirements of this Section;
- To facilitate implementation of goals and policies set forth in the *Comprehensive Plan* and any applicable *Area Plan* relating to adequacy of Public Facilities and Level of Service standards; and
- To ensure that all applicable legal standards and criteria are properly incorporated in these procedures and requirements.

### 14.1.2. DEFINITIONS.

The words, terms and phrases set forth herein shall have the meanings prescribed below provided, however, that any words, terms or phrases not included below shall have the meanings prescribed by Appendix A to this Ordinance.

**ADOPTED LEVEL OF SERVICE.** A measurement quantifying a specific amount, frequency, capacity, or response time of a service which has been established by the governing board. For purposes of determining adequacy, this shall not exceed the actual level of service.

**AVAILABLE CAPACITY.** Existing Capacity and Planned Capacity less Existing Demand and demand that will be generated by Committed Development.

**CAPACITY.** The maximum demand that can be accommodated by a Public Facility without exceeding the Adopted Level of Service.

**CAPITAL IMPROVEMENT.** A public facility with a life expectancy of three or more years, to be owned and operated by or on behalf of the City, County, special district, or a private service provider.

**CAPITAL IMPROVEMENT, PLANNED.** A Capital Improvement designed for construction within a period not to exceed six (6) years in a Capital Improvements Program.

**CAPITAL IMPROVEMENTS PROGRAM.** A plan setting forth, by category of public facilities, those capital improvements that will be provided over a period of specified years. "Capital Improvements Program" may refer either to the plan for a particular service area or to the aggregation of capital improvements and the associated costs programmed for all service areas for a particular category of public facilities.

**COMMITTED DEVELOPMENT.** Committed Development includes: development with an approved determination of concurrency; or developments which are approved, but which are unbuilt such as unbuilt preliminary subdivision plans, or minor development final plats; or final plats or building permits approved without a determination of concurrency.

**COMMON OWNERSHIP.** Ownership by the same person, corporation, firm, entity, partnerships, entities, or unincorporated associations, in which a stock owner, partner, or associate, or a member of his family owns an interest in each corporation, firm, partnership, entity or unincorporated association, but excluding ownership of less than 1% of any stock traded on the New York, American or Pacific Stock Exchanges or traded over-the-counter where the price is listed at least weekly in the Wall Street Journal.

**CONSENT AGREEMENT.** The executed contract between the local jurisdiction and developer that formally sets forth development approval and requirements to achieve adequacy.

**CURRENTLY AVAILABLE REVENUE SOURCES.** An existing source or amount of revenue presently available to the City or the entity providing a Public Facility and that may be allocated towards capital expenses and which has been budgeted for the capital disbursements or debt service account

applicable to a planned capital improvement; provided, however, that this term shall not refer to a mere intent to increase the future level or amount of a revenue source, nor to a revenue source which is contingent on ratification by a public referendum.

**EXISTING DEMAND.** The demand for Public Facilities from existing (built) Development.

**EQUIVALENT RESIDENTIAL UNIT OR “ERU”.** For purposes of § 14.1 of this Ordinance, the demand for public facilities generated by a proposed development which is equivalent to the demand for public facilities generated by one (1) residential dwelling unit. [ERU table found in Table 14-3].

**IMPACT AREA.** The area in which a proposed residential development is presumed to create a demand for Public Facilities and which area, therefore, will be evaluated to determine whether the Capacity of Public Facilities is adequate to accommodate the demand created by existing residential development, Committed Development and the proposed residential development pursuant to § 6.1 of this Ordinance.

**LEVEL OF SERVICE.** Level of Service indicates the capacity per unit of demand for each public facility. It is an indicator of the extent or degree of service provided by a facility based upon and related to the operational characteristics of the facility.

**PLANNED CAPACITY.** The Capacity to be added by Planned Capital Improvements included in adopted capital improvement plans. Projects must be definitively scheduled to be considered as planned capacity with the effective date of that capacity the expected completion of the improvement.

**PUBLIC FACILITIES.** Capital Improvements including Water Facilities, Wastewater Facilities, and Streets.

#### 14.1.3. APPLICABILITY.

**14.1.3.1.** <sup>(1)</sup>The provisions of this Article 14 shall apply as follows:

- Water APF review per Section 14.3.3 - Any application for development approval (Conditional Zoning Rezoning, Conditional Use Permit, Major/Minor Site Plan Approval, Preliminary Subdivision Plat Approval) regardless of number of trips generated.
- Sewer APF Review per Section 14.3.4 and

Roads/Streets APF review per Section 14.3.5 - Application for Conditional Zoning Rezoning that generates 1,000 or more trips per day or 100 trips during peak hour.

- Sewer APF Review per Section 14.3.4 and Roads/Streets APF review per Section 14.3.5 - Application for a Conditional Use Permit/Major Site Plan approval that generates 1,000 or more trips per day or 100 trips during peak hour;
- Sewer APF Review per Section 14.3.4 and Roads/Streets APF review per Section 14.3.5 - Application for Minor Site Plan approval that generates 1,000 or more trips per day or 100 trips during peak hour;
- Sewer APF Review per Section 14.3.4 and Roads/Streets APF review per Section 14.3.5 - Application for Preliminary Subdivision Plat approval of any project that generates 1,000 or more trips per day or 100 trips during peak hour. Subdivision plats that qualify as Minor Subdivisions shall not be subject to this article.

**14.1.3.1.1.** <sup>(1)</sup>For a conditional zoning rezoning, the most intensive use that could be developed under the proposed list of uses shall be used as the basis for determining trip generation.

**14.1.3.1.2.** The provisions of this Ordinance shall apply to Final Plats or Final Site Plans (Major Site Plans) to the extent that the availability of a Public Facility is made a condition of preliminary plat or preliminary site plan approval.

**14.1.3.1.3.** No application for development approval subject to this Section shall be accepted, approved, granted or issued unless it is accompanied by an application which provides sufficient information to determine whether the capacity of Public Facilities is adequate to support the proposed development.

**14.1.3.2.** This Section shall not apply to any use, development, project, structure, fence, sign or activity which does not result in a new equivalent dwelling unit.

## 14.2. APF PROCESSING PROCEDURES.

**14.2.3. SUBMISSION REQUIREMENTS.** It is the intent of this Section that no application for development approval shall be approved unless accompanied by a positive determination, or a positive determination subject to conditions, relating to adequacy of public facilities as provided herein. Each application, in addition to other applicable and required processing fees, shall be submitted to the Department and shall be accompanied by all required administrative fees.

**14.2.3.1.** A proposed rezoning which could result in a range of potential impacts shall be reviewed as if the greatest impact would result. The review of adequacy of public facilities for the application for a rezoning shall compare the Capacity of Public Facilities to the maximum projected demand which may result from the proposed rezoning based upon the potential density of the affected area pursuant to the rezoning. Nothing herein shall authorize a rezoning or the issuance of a conditional use permit that would otherwise be inconsistent with the *Comprehensive Plan*

### 14.2.4. PROCEDURES FOR DETERMINATION.

**14.2.4.1.** The Administrator shall determine whether the application is complete and complies with the submission requirements set forth in this subsection and Appendix B. If the application is incomplete or the submission requirements have not been complied with, the Administrator shall so notify the Applicant, specifying the deficiencies. If the application is complete and the submission requirements have been complied with, the Administrator shall evaluate the proposed development for compliance with the Adopted Level of Service and shall submit a recommendation pursuant to subsection 14.2.4.2, below.

**14.2.4.2.** If the Administrator concludes that each Public Facility will be available concurrent with the impacts of the proposed development at the Adopted Levels of Service, the Administrator shall make a positive recommendation in its staff report. If the Administrator determines that any Public Facility will not be available concurrent with the impacts of the proposed development at the Adopted Level of Service based upon available capacity, the

Administrator shall make a negative recommendation in the staff report or, in the alternative, shall make a positive recommendation with appropriate conditions consistent with the criteria set forth in subsection 14.3.1 of this Section. If the Administrator recommends that the application be conditionally approved, the staff report shall recommend conditions or stipulations that may be included regarding the density of the proposed development, the timing and phasing of the proposed development, the provision of Public Facilities by the Applicant or any other reasonable conditions to ensure that all Public Facilities will be adequate and available concurrent with the impacts of the proposed development. The staff report shall, at a minimum, include the following, based upon staff and referral agency recommendations:

- the number of equivalent dwelling units proposed by the Applicant, by type, for each Public Facility;
- the timing and phasing of the proposed development, if applicable;
- the specific Public Facilities impacted by the proposed development;
- the extent of the impact of the proposed development in the applicable Impact Areas;
- the Capacity of existing Public Facilities in the Impact Areas which will be impacted by the proposed development;
- the demand on existing Public Facilities in the Impact Areas from existing and approved development;
- the availability of Existing Capacity to accommodate the proposed development; and
- if Existing Capacity is not available, Planned Capacity and the year in which such Planned Capacity is projected to be available.

### 14.2.5. WITHDRAWAL OF APPLICATION.

The Applicant may withdraw the Application at any time by submitting a written request to the Administrator. Withdrawal will result in the forfeiture of all administrative fees paid by the Applicant for the processing of the application.

### 14.2.6. DETERMINATION.

**14.2.6.1.** Upon receipt of the staff report, and subject to compliance with all other applicable

standards of approval for a Development Approval, the decision-making body confirm:

- that the application for development approval shall be approved because public facilities and services are available at the adopted level of service; or
- that the application for development approval shall be denied because public facilities and services are not available at the adopted level of service; or
- that the application for development approval shall be approved subject to one or more of the following conditions as agreed to between the applicant and the City Council:
  - deferral of further Development Orders (as defined in Appendix A) until all Public Facilities are available and adequate if Public Facilities in the Impact Area are not adequate to meet the Adopted Level of Service for the entire development proposal, consistent with the requirements of this article;
  - reduction of the density or intensity of the proposed development to a level consistent with the Available Capacity of Public Facilities;
  - provision by the Applicant of the Public Facilities necessary to provide Capacity to accommodate the proposed development at the Adopted Level of Service and at the time that the impact of the development will occur; or
  - conditions agreed upon by the applicant to advance, or partially advance the Public Facilities necessary to provide capacity to accommodate the proposed development at the Adopted Level of Service and at the time that the impact of the development will occur. Provisions for advancement of capacity are included in Subsection 14.2.9.

#### **14.2.7. EXPIRATION OF DETERMINATION.**

**14.2.7.1.** A determination pursuant to subsection 14.2.6.1, above, shall be deemed to expire when the Development Order to which it is attached expires, lapses or is waived or revoked, or if the Applicant has not complied with conditions attached to its issuance.

**14.2.7.2.** If a determination of adequacy of public

facilities attached to a rezoning expires, the Planning Commission or City Council may initiate proceedings to rezone the property to its original zoning classification.

#### **14.2.8. EFFECT OF DETERMINATION OF ADEQUACY OF PUBLIC FACILITIES.**

**14.2.8.1.** A determination of adequacy of public facilities for a Development Order shall be deemed to indicate that:

- Public Facilities are available at the time of issuance of the determination; and
- For subdivision plats and site plans only, that Public Facilities will be considered to be available at all subsequent stages of the development approval process up to the date of expiration of the preliminary plat or final site plan provided, however, that the determination of adequacy of public facilities shall expire and become null and void upon the expiration of: (1) the Development Order to which it is attached, or (2) the time frame for submitting a subsequent application for approval, recordation of a subdivision plat, or issuance of a certificate of occupancy unless an application for a subsequent Development Order is submitted within the time frames set forth in this document. If no expiration date is provided in the UDO, the conditions attached to the determination of adequacy of public facilities, or in the conditions of permit approval, the determination shall expire within two (2) years after approval of the Development Order.

**14.2.8.2.** The provisions of §14.2.8.1, above shall not apply to any rezoning except a Site-Specific Development Plan or Phased Development Plan.

**14.2.8.3.** A determination of adequacy of public facilities shall not affect the need for the Applicant to meet all other requirements as set forth in this Ordinance.

#### **14.2.9. ADVANCEMENT OF CAPACITY**

**14.2.9.1.** No advancement of Capacity for Public Facilities needed to avoid a deterioration in the adopted levels of service shall be accepted by the City Council unless the proposed Public Facility is a Planned Capital Improvement or appropriate conditions are included to ensure that the Applicant

will obtain necessary approvals prior to or concurrent with the issuance of a final subdivision plat or final site plan or, if subdivision or site plan approval is not required, a building permit. The commitment to construction of Public Facilities prior to the issuance of a building permit shall be included as a condition of the determination and shall contain, at a minimum, the following:

- For Planned Capital Improvements, a finding that the Planned Capital Improvement is included within the Capital Improvements Program of the applicable service provider;
- an estimate of the total financial resources needed to construct the Planned Capital Improvement and a description of the cost participation associated therewith;
- a schedule for commencement and completion of construction of the Planned Capital Improvement with specific target dates for multi-phase or large-scale Capital Improvement projects;
- a statement, based on analysis, that the Planned Capital Improvement is consistent with the applicable *Area Plan* and, if applicable, the *Comprehensive Plan*; and
- at the option of the City Council and only if the Planned Capital Improvement will provide Capacity exceeding the demand generated by the proposed development, reimbursement, or a method to affect reimbursement, to the Applicant for the pro rata cost of the excess Capacity.

## 14.3. CRITERIA FOR DETERMINATION OF ADEQUACY.

### 14.3.1. METHODOLOGY AND CRITERIA FOR DETERMINING AVAILABILITY AND ADEQUACY OF PUBLIC FACILITIES

No determination as to compliance with this Section shall be recommended by the Administrator or rendered by the approving agency unless Public Facilities within the Impact Areas set forth in Column (C) of Table 14-2 are:

- adequate, as measured by the adopted level of service ("LOS"), as set forth in this § 14.3 and Column (B) of Table 14-2; and
- available, as set forth in this § 14.3 and Column (D) of Table 14-2.

### 14.3.2. ADOPTED LEVEL OF SERVICE ("LOS") STANDARDS (ADEQUACY OF PUBLIC FACILITIES).

Compliance with Level of Service ("LOS") standards shall be measured for each Public Facility set forth in Column (A) of Table 14-2 in accordance with the corresponding standards set forth in Column (B) of Table 14-2. The LOS for each application for development approval shall be measured within the impact area set forth in Column (C) of Table 14-2 for each corresponding facility in Column (A). Column (D) of Table 14-2 indicates whether Programmed Capital Improvements may be included in determining whether the improvements are available. Rules for interpretation of Table 14-2 are set forth in this § 14.3.

### 14.3.3. WATER.

Water requirements shall not apply to agricultural uses. The water standard applies to <sup>(1)</sup>raw water supply, <sup>(1)</sup>treated water supply, and water treatment needed to accommodate the gallons per capita per day (gpcd) generated by residential and non-residential uses. Usage figures for residential and non-residential usage are taken from <sup>(1)</sup>the current Water & Sewer Authority of Cabarrus County Master Plan. This document identifies six (6) pressure zones in the WSACC service area. Flow rates used to estimate the demand produced by the proposed development shall comply with 15A NCAC § 18C.0409, which is hereby incorporated by reference and made a part of this Ordinance, unless a different standard is identified in any Local Water Supply Plan for the service area adopted pursuant to NCGS § 143-55(1), in which case the flow rates identified for the particular use in the Water Supply Plan may be used. If the category of development proposed in the application is not

identified in the above-referenced regulations, the professional engineer shall use the applicable industry and manufacturer's standards to calculate average and peak daily flows and demands, in gallons per day. The capacity for elevated storage and distribution systems shall comply with 15A NCAC § 18C.0805 to 18C.0901, which regulations are hereby incorporated by reference. Approval through the Adequate Facilities Process outlined in this section shall in no manner imply approval of required distribution systems.

### 14.3.4. WASTEWATER.

The wastewater standard applies to wastewater treatment plants (WWTPs), interceptor sewers, and pumping stations. The standard for source facilities applies only to treatment capacity legally reserved for usage by WSACC. The figures for gallons per capita per day (gpcd) are taken from Boyle Engineering Corporation, WSACC Wastewater and Water Master Plan, Volume 1 (1995). Flow rates used to estimate the demand produced by the proposed development shall be consistent with the assumptions set forth in § 14.1.8.1 of this Ordinance and 15A NCAC 18A.1949 (Sewage Flow Rates for Design Units), as said section may be revised from time to time. If the category of development proposed in the application is not identified in 15A NCAC 18A.1949, the professional engineer shall use the applicable industry and manufacturer's standards to calculate average and peak daily flows and demands, in gallons per day. Approval through the Adequate Facilities Process outlined in this section shall in no manner imply approval of required interceptor and collection systems.

### 14.3.5. ROADS/STREETS.

**14.3.5.1.** <sup>(2)</sup>A Traffic Impact Study shall be required for any conditional zoning rezoning, major subdivision, major/minor site plan, or conditional use permit that is subject to the APF Roads/Streets provisions as set forth in Section 14.1.3.1 of this Article.

**14.3.5.2.** The LOS for each zoning district tier shall be as listed in Table 14-1, below.

(1) City Council approved 4/22/2002

(2) City Council approved 7/28/2003

**Table 14-1**  
**ZONING DISTRICT TIER**

	<u>Rural</u>	<u>Suburban</u>	<u>Urban</u>
Freeway/Expressway	C	D	n/a
Major thoroughfare	C	D	n/a
Minor thoroughfare	C	D	E
Minor arterial	C	D	E
Major collectors	C	D	E
Minor collector	B	D	E
Local roads	B	C	E
Local streets	B	C	E

Zoning districts shall be classified into three development tiers (Tier 1 - Urban, Tier 2 - Suburban, and Tier 3 - Rural). The classifications are as follows:

- Tier 1 (Urban) includes the CC and B-1 District where the development pattern is established, and which public policy favors relatively high levels of human activity.
- Tier 2 (Suburban) districts are suburban or urbanizing in nature and are as follows: RL, RM-1 and RM-2, RV, RC, O-I, C-1, C-2, CD, I-1, and I-2.
- Tier 3 (Rural) zoning districts are characterized by agricultural and/or rural service levels and are as follows: AG Agricultural; RE Rural Estate. Land within these zoning districts shall be protected in order to avoid the unnecessary conversion of agricultural land to suburban or urban development. These zoning districts are characterized by lands which do not have public facilities and services at urban service levels.

**14.3.5.3.** Transportation LOS shall be based upon the volume-to-capacity ratios as established by the Transportation Research Board, *Highway Capacity Manual* (Washington, D.C.: National Research Council, 3d ed. 1998), which document is hereby incorporated by this reference. The traffic analysis shall be consistent with the assumptions and guidelines of the following documents, which are hereby incorporated by reference: Cabarrus/South Rowan Thoroughfare Plan, Appendix H; Institute of Transportation Engineers, *Trip Generation* (5th ed. 1991). For uses generating less than ten (10) trips per day, the directional split of traffic leaving the site shall be deemed to be 50% in either direction. For all other applications, the directional split shall be based upon the traffic Impact Study.

**14.3.5.4.** The City Council finds and determines that I-85 experiences significant pass-through

traffic, and that the ability to expand I-85 is limited due to jurisdictional, funding, and physical constraints. Accordingly, I-85 shall not be included in the Impact Area for any Application for Development Approval.

**14.3.5.5.** The LOS standard for Planned Unit Developments and Traditional Neighborhood Development shall correspond to the zoning classification at the time of application for development approval.

**14.3.5.6. Waiver.** The requirements of this section for a Traffic Impact Study may be waived by the Director of Transportation when it is determined that such report is not necessary to determine needed road improvements or that no unsafe or hazardous conditions will be created by the development as proposed.

#### **14.3.6. RESERVED.**

#### **14.3.7. PUBLIC FACILITIES AFFECTING AREAS OUTSIDE OF INCORPORATED AREA OF CITY.**

**14.3.7.1. GENERALLY.** Availability and adequacy of Public Facilities shall be determined only with respect to Public Facilities located within Cabarrus County, including any incorporated areas of the County. If part of the applicable service area or traffic Impact Area lies in an adjacent municipality or an unincorporated area of Mecklenburg, Union, or Rowan County, absent an intergovernmental agreement with the County or municipality, availability and adequacy shall be determined only with respect to Public Facilities located within the County, including its incorporated and unincorporated areas.

**14.3.7.2. INTERGOVERNMENTAL AGREEMENT.** If the City Council has entered into an intergovernmental agreement with an adjacent county or with a municipality to evaluate Public Facilities in such areas, an Applicant will be subject to the evaluation of the Level of Service standard for the facility as adopted by the adjacent county or municipality. Prior to the determination of adequacy of public facilities, the Administrator shall require that the adjacent county or municipality certify that issuance of a Development Order for the proposed development will not cause a reduction in the Level of Service standards for those facilities lying within the adjacent county or the municipality.



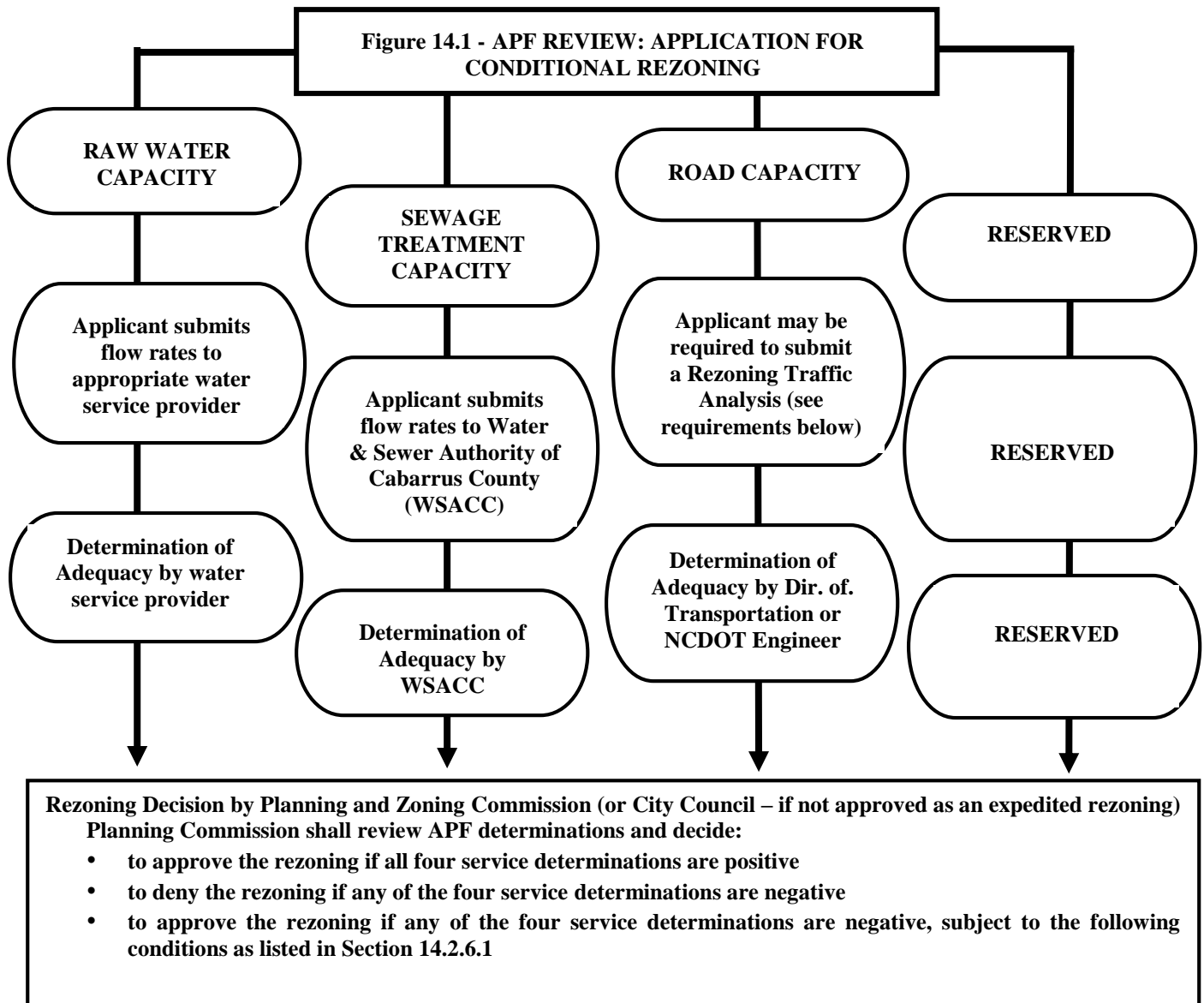
**Table 14-2**  
**APF LEVEL OF SERVICE (LOS) STANDARDS**

(A) Public Facility	(B) Adopted LOS Standard Criteria	(C) Impact Area	(D) Availability
<b>Water</b>	215 gpd per ERU*  *see Table 14-3	<u>Water Treatment Plants (WTPs)</u> – the service area of each treatment plant as defined by the operators.	Programmed capital improvements may be considered for approval of a rezoning or issuance of a preliminary subdivision plat or preliminary site plan. Only existing capital improvements may be considered for issuance of approval for a final site plan or final subdivision plat.
<b>Sewer</b>	250 gpd per ERU*  *see Table 14-3	The service area of each public treatment plant as defined by WSACC, any package treatment plant or other wastewater system serving a proposed development	Programmed capital improvements may be considered for approval of a rezoning or issuance of a preliminary subdivision plat or preliminary site plan. Only existing capital improvements may be considered for issuance of approval for a final site plan or final subdivision plat.
<b>Streets/ Roads</b>	see Table 14-1	The street lying between the proposed development and the first collector/collector or collector/arterial intersections, within which a proposed development generates traffic of more than 10 trips per day. Some roads may be excluded (see § 14.3.5).	Any programmed capital improvements may be considered for approval of a rezoning. Programmed capital improvements within the first three (3) years of the Capital Improvements Program and guaranteed by currently available revenue sources may be considered for subdivision plat or site plan approval.
<b>(Reserved)</b>			

**Table 14-3**  
**Equivalent Residential Units**

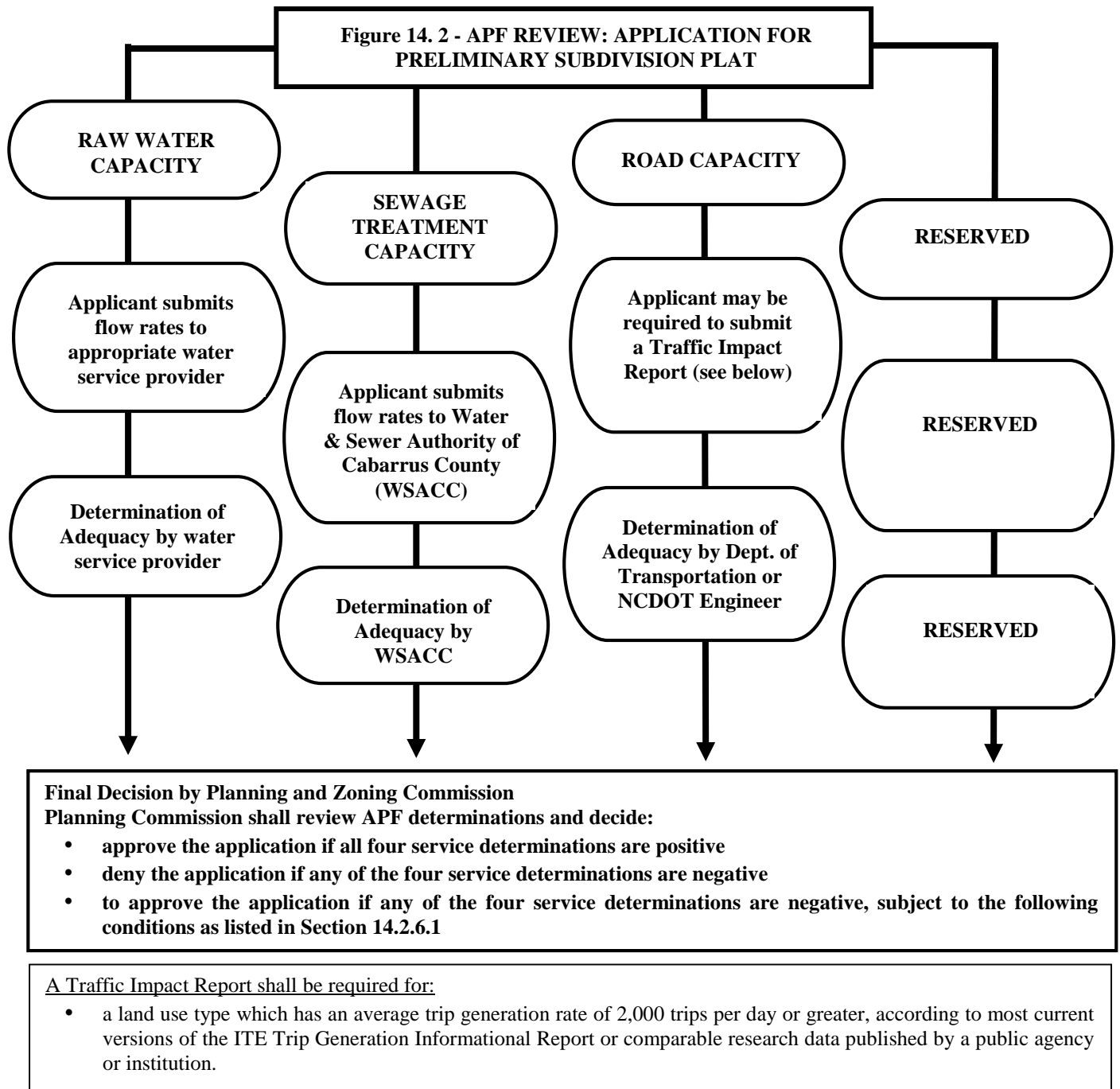
<i>Land Use</i>	<i>Variable</i>	<i>Factor</i>	<i>ERU</i>
Residential Single-family	dwelling unit	9.55	1.00
General Light Industrial	1,000 square feet	6.97	0.73
Industrial Park	1,000 square feet	6.97	0.73
Manufacturing	1,000 square feet	3.85	0.40
Warehousing	1,000 square feet	4.88	0.51
Mini-warehouse	1,000 square feet	2.61	0.27
Apartments (post-1973)	dwelling unit	6.28	0.66
Low-rise apartment	dwelling unit	6.59	0.69
High-rise apartment	dwelling unit	4.2	0.44
Condo/Townhouse	dwelling unit	5.86	0.61
High-rise condo	dwelling unit	4.18	0.44
Mobile homes	dwelling unit	4.81	0.50
Hotel	room	8.7	0.91
Elementary school	1,000 square feet	10.72	1.12
High school	1,000 square feet	10.9	1.14
Church	1,000 square feet	9.32	0.98
Day care center	1,000 square feet	79.26	8.30
Hospital	1,000 square feet	16.78	1.76
General office (<10,000 sf)	1,000 square feet	24.6	2.58
General office (10-25,000 sf)	1,000 square feet	19.72	2.06
General office (25-50,000 sf)	1,000 square feet	16.58	1.74
General office (50-100,000 sf)	1,000 square feet	14.03	1.47
General office (100-200,000 sf)	1,000 square feet	11.85	1.24
General office (200-300,000 sf)	1,000 square feet	10.77	1.13
General office (300-400,000 sf)	1,000 square feet	9.96	1.04
General office (400-500,000 sf)	1,000 square feet	9.45	0.99
General office (600-700,000 sf)	1,000 square feet	9.05	0.95
General office (700-800,000 sf)	1,000 square feet	8.75	0.92
General office (>800,000 sf)	1,000 square feet	8.46	0.89
Corporate headquarters	1,000 square feet	6.27	0.66
Single tenant office	1,000 square feet	11.5	1.20
Office park	1,000 square feet	11.42	1.20
Research and development center	1,000 square feet	7.7	0.81
Business park	1,000 square feet	14.37	1.50
Building materials store	1,000 square feet	30.56	3.20
Specialty retail	1,000 square feet	40.67	4.26
Discount store	1,000 square feet	70.13	7.34
Hardware store	1,000 square feet	51.29	5.37
Nursery	1,000 square feet	36.08	3.78
Shopping center (<10,000 sf GLA)	1,000 square feet	167.59	17.55
Shopping center (10-50,000 sf GLA)	1,000 square feet	91.65	9.60
Shopping center (50-100,000 sf GLA)	1,000 square feet	70.67	7.40
Shopping center (100-200,000 sf GLA)	1,000 square feet	54.5	5.71
Shopping center (200-300,000 sf GLA)	1,000 square feet	46.81	4.90
Shopping center (300-400,000 sf GLA)	1,000 square feet	42.02	4.40
Shopping center (400-500,000 sf GLA)	1,000 square feet	38.65	4.05
Shopping center (500-600,000 sf GLA)	1,000 square feet	36.35	3.81
Shopping center (600-800,000 sf GLA)	1,000 square feet	33.88	3.55
Shopping center (800-1,000,000 sf GLA)	1,000 square feet	32.09	3.36
Shopping center (1M-1,200,000 sf GLA)	1,000 square feet	30.69	3.21
Shopping center (1.2M-1,400,000 sf GLA)	1,000 square feet	29.56	3.10
Shopping center (1.4M-1,600,000 sf GLA)	1,000 square feet	28.61	3.00
Sit-down restaurant	1,000 square feet	205.36	21.50
Fast food without drive-through	1,000 square feet	786.22	82.33
Fast food with drive-through	1,000 square feet	632.12	66.19
New car sales	1,000 square feet	47.91	5.02
Convenience market	1,000 square feet	737.99	77.28
Furniture store	1,000 square feet	4.34	0.45

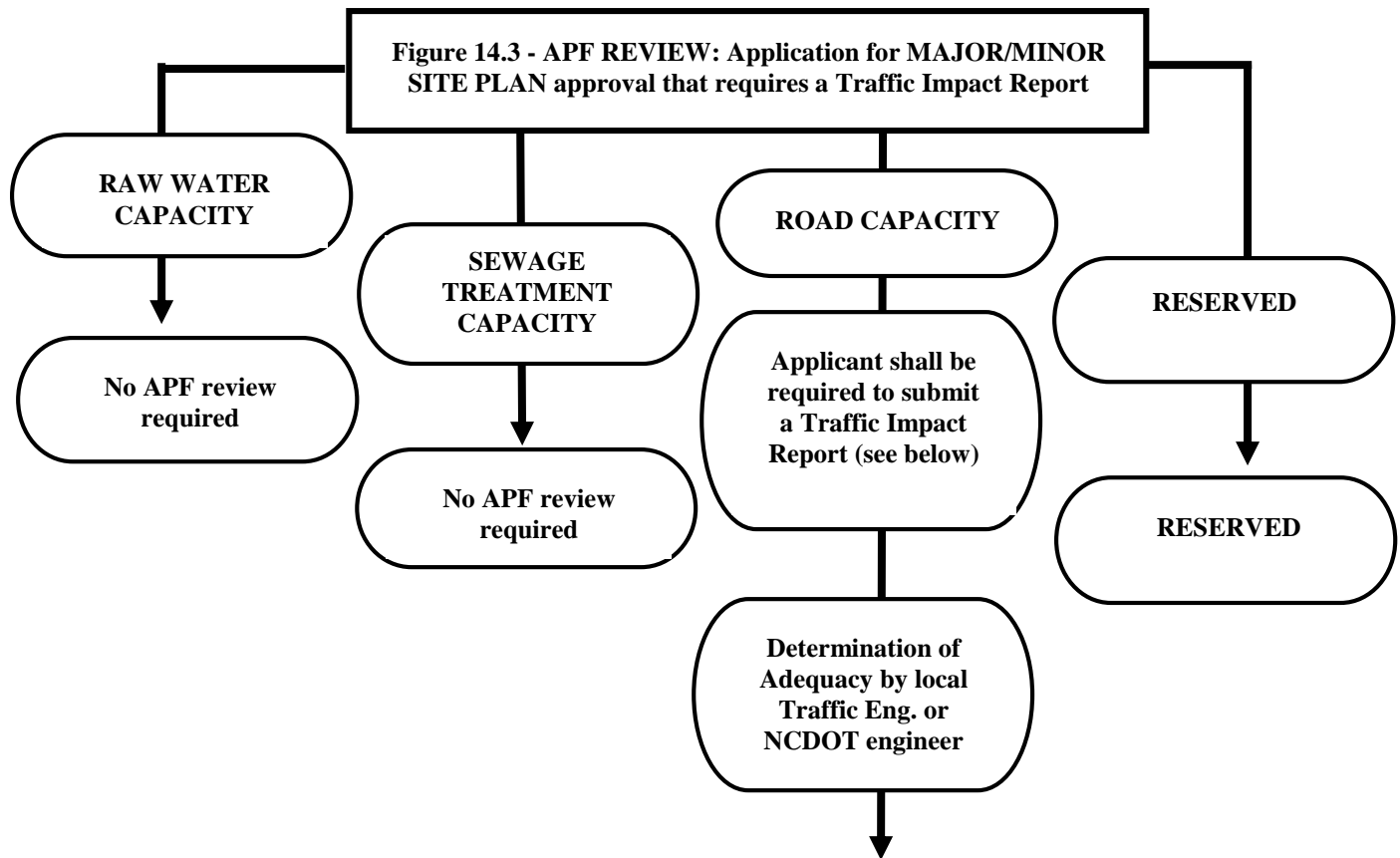
Source: Freilich, Leitner, Carlisle



A Rezoning Traffic Analysis shall be required for:

- A proposed rezoning that could generate 100 or more directional trips during the peak hour or at least 1000 more trips per day for the most intensive use that could be developed under existing zoning;
- A proposed rezoning on a site located along or which has the potential to take access within 500 feet of a corridor identified as a freeway or expressway on the Thoroughfare Plan;
- A proposed amendment to the Comprehensive Plan involving more than one acre which would permit uses generating higher traffic than the existing Comprehensive Plan designation
- Where a Rezoning Traffic Analysis is required, the acceptance of the rezoning application for the purposes of beginning the mandatory 60 day time limit applicable to city action on a rezoning request shall not commence until the Rezoning Traffic Analysis has been reviewed for completeness and has been accepted by the Administrator as meeting the content requirements of the ordinance.



**Final Decision by Administrator**

Administrator shall review APF determinations and decide:

- to approve the minor site plan if all four service determinations are positive
- to deny the minor site plan if any of the four service determinations are negative
- to approve the minor site plan if any of the four service determinations are negative, subject to the following conditions as listed in Section 14.2.6.1

A Traffic Impact Report shall be required for:

- a land use type which has an average trip generation rate of 2,000 trips per day or greater, according to most current versions of the ITE Trip Generation Informational Report or comparable research data published by a public agency or institution.

**Figure 14-4 - Final Determination for an APF review:  
Options for approving body (as summarized from Sect. 14.2.6.1)**

Upon receipt of the staff report, and subject to compliance with all other applicable standards of approval for a Development Approval, the decision-making body may determine:

- that the application for development approval shall be approved because public facilities and services are available at the adopted level of service; or
- that the application for development approval shall be denied because public facilities and services are not available at the adopted level of service; or
- that the application for development approval shall be approved subject to one or more of the following conditions as agreed to between the applicant and the City Council:
  - deferral of further Development Orders (as defined in Appendix A) until all Public Facilities are available and adequate if Public Facilities in the Impact Area are not adequate to meet the Adopted Level of Service for the entire development proposal, consistent with the requirements of this article;
  - reduction of the density or intensity of the proposed development to a level consistent with the Available Capacity of Public Facilities;
  - provision by the Applicant of the Public Facilities necessary to provide Capacity to accommodate the proposed development at the Adopted Level of Service and at the time that the impact of the development will occur; or
  - conditions agreed upon by the applicant to advance, or partially advance the Public Facilities necessary to provide capacity to accommodate the proposed development at the Adopted Level of Service and at the time that the impact of the development will occur. Provisions for advancement of capacity are included in Subsection 14.2.9.